

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

CRÉDIT AGRICOLE (SUISSE) S.A., and
CRÉDIT AGRICOLE S.A., a/k/a BANQUE
DU CRÉDIT AGRICOLE,

Defendants.

Adv. Pro. No. 12-1022 (CGM)

ORDER DENYING DEFENDANT’S MOTION TO DISMISS

Defendant Crédit Agricole (Suisse) S.A. (“Defendant”) filed a motion to dismiss the Complaint under Federal Rules of Civil Procedure 8(a), 10(c), 12(b)(2), and 12(b)(6), made applicable to these proceedings by Federal Bankruptcy Rules of Procedure 7008, 7010, and 7012 [Docket No. 116] (the “Motion”). The parties stipulated to rest on their papers and waive oral

argument on the Motion [Docket No. 131]. The Court has considered the Motion, the papers submitted in support of and in opposition to the Motion, and the Complaint. The Court issued an amended memorandum decision regarding the Motion (the “Decision”) [Docket No. 138]. Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is **DENIED**.
2. The deadline for Defendant to file an answer to the Complaint is February 27, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: February 14, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge